

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS**DRUGS FOR HUMAN USE***

3692. Misbranding of Champion Compound. U. S. v. Cel-Ton-Sa Medicine Co. and Marvin Guyer. Pleas of guilty. Fine of \$200 against each defendant. (F. D. C. No. 32744. Sample No. 31116-L.)

INFORMATION FILED: March 5, 1952, Southern District of Ohio, against the Cel-Ton-Sa Medicine Co., a partnership, Cincinnati, Ohio, and Marvin Guyer, a partner in the partnership.

ALLEGED SHIPMENT: On or about June 19, 1951, from the State of Ohio into the State of Tennessee.

LABEL, IN PART: (Bottle) "Champion Compound Contents 16 Fluid Ounces Active Laxative Ingredients: Buckthorn, Cascara Sagrada, Senna and Aloe. Active Carminative Ingredients: Ginger, Calamus, Anise, Fennel and Coriander. Inactive Ingredients: Gentian, Quassia, Burdock, Licorice, Mandrake, Salicylic Acid, Benzoic Acid, Iron and Ammonium Citrate, Saccharin Soluble, Oil Spearmint, Oil Cassia, Methyl Salicylate, Wahoo, Butternut, Sarsaparilla, Colocynth, Buchu, Uva Ursi, Juniper Berries, Wild Cherry, Caramel and Water \$300 Prepared For _____ Address All Orders To Champion Remedies 118 Popular Ave., Memphis, Tenn."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in an accompanying circular entitled "Leading The Way To Improved Internal Hygiene" were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for general digestive disorders, minor stomach disorders, rheumatism, dropsical [*sic*], kidney and bladder ailments of a minor nature, incipient catarrh of the bladder, and gravel; that the article was a blood conditioner; that it contained therapeutically significant amounts of vitamins and minerals; and that it was effective in maintaining and restoring the health of the user. The article was not an adequate and effective treatment for the conditions stated and implied; it was not a blood conditioner; it did not contain therapeutically significant amounts of vitamins and minerals; and it would not be effective in maintaining and restoring the health of the user.

DISPOSITION: March 14, 1952. Pleas of guilty having been entered, the court imposed a fine of \$200 against each defendant.

3693. Misbranding of Ceride solution and Kamide aqueous suspension. U. S. v. 1,975 Ampuls of Ceride solution, etc. (F. D. C. No. 30868. Sample Nos. 93124-K to 93127-K, incl.)

LIBEL FILED: March 23, 1951, Western District of North Carolina.

ALLEGED SHIPMENT: On or about February 13 and April 23, 1950, from Decatur, Ill., and New York, N. Y.

PRODUCT: 21,950 ampuls of *Ceride solution* and 23,950 ampuls of *Kamide aqueous suspension* at Andrews, N. C., in possession of Swan's Enterprises, Inc., and a number of 1-page leaflets entitled "Ceride and Kamide" and a number of 2-page leaflets entitled "Suggestions for the use of Ceride and Kamide."

RESULTS OF INVESTIGATION: The leaflets accompanying the products had been prepared locally for the consignee, Swan's Enterprises, Inc.

*See also Nos. 3689-3691.

LABEL, IN PART: Portion of *Ceride solution*. (Ampul) "Ceride * * * 2 cc. Sterile Ampule Each cc. contains: Elemental Iodine, .00173 gm.; Cerium Iodide (CeI_3), .004125 gm.; Dextrose, .00767 gm. In distilled water" and (carton) "For intravenous Use."

Remainder of *Ceride solution*. (Ampul) "2 cc. Size Ceride" and (carton) "Ceride * * * Each cc. contains: Elemental Iodine 0.00158 Gm. Cerium Iodide 0.00457 Gm. Dextrose 0.0075 Gm. In distilled water * * * For Intravenous use."

Portion of *Kamide aqueous suspension*. (Ampul) "Kamide * * * 2 cc. Sterile Ampule Each cc. contains: Elemental Iodine, 0.00091 gm.; Potassium Iodide 0.00184 gm.; Starch, 0.0142 gm. In distilled water. Dose 2 cc. intramuscularly."

Remainder of *Kamide aqueous suspension* (Ampul) "2 cc. Kamide" and (carton) "Kamide * * * Each cc. contains: Elemental Iodine 0.001 Gm. Potassium Iodide 0.002 Gm. Starch 0.015 Gm. In distilled water * * * For Intramuscular use."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling, namely, in the leaflets entitled "Ceride and Kamide" and "Suggestions for the use of Ceride and Kamide," were false and misleading. These statements represented and suggested that the *Ceride solution* was an adequate and effective treatment for arthritis, virus infections, toxemias of pregnancy, hay fever, asthma, hypertension, Buerger's disease, Raynaud's disease, coronary thrombosis, diabetes, encephalitis, herpes zoster, primary glaucoma, cerebral embolism, paralysis due to cerebral hemorrhage, menopause, malaria, poliomyelitis, gastric ulcer, phlebitis, rheumatic fever, and sinus infection; and that the *Kamide aqueous suspension* was an adequate and effective treatment for diseases of the nervous system and circulatory system, infections of the mucous membrane, arthritis, coronary thrombosis, edema of the brain, herpes zoster and other virus infections, hypertension, paralysis due to cerebral hemorrhage, cerebral embolism, poliomyelitis, rheumatic fever, and sinus infection. The articles were not adequate and effective treatments for such diseases and conditions.

The articles were misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 1, 1952. Swan's Enterprises, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond, conditioned that they be relabeled under the supervision of a representative of the Federal Security Administrator.

3694. Misbranding of A-T gum. U. S. v. 17 Cartons * * *. (F. D. C. No. 32496. Sample No. 4655-L.)

LIBEL FILED: February 8, 1952, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about November 7, 1951, by Day-Baldwin, Inc., from Newark, N. J.

PRODUCT: 17 cartons, each containing 12 boxes and each box containing 14 tablets, of A-T gum at Clarksburg, W. Va.

LABEL, IN PART: (Box) "14 Tablets A-T Gum Antibiotic-Analgesic Each tablet contains aspirin $3\frac{1}{2}$ grains and Tyrothricin 1 mg."